



IFW DAC/2837

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: 09/997,892 )  
Filed: November 11, 2001 )  
Applicant(s): Robert R. Keller, Jr. )  
Title: Method and Apparatus for )  
Automatically Establishing )  
Control Values for a Control )  
Device )  
Art Unit: 2837 )  
Examiner: Tyrone W. Smith )  
Attorney Docket No.: 72312 )  
Customer No.: 22242 )

Confirmation No. 4224

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

06/24/04  
Date

Steven G. Parmelee  
Registration No. 28,790  
Attorney for Applicant(s)

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE  
AN UNINTENTIONALLY ABANDONED APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby respectfully petition the Commissioner under 37 C.F.R. § 1.137(b) to revive the above-identified patent application. The abandonment of the application for failure to transmit a Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences along with or prior to transmittal of the Appeal Brief mailed January 29, 2004, was unintentional.

In accordance with 37 C.F.R. § 1.137(b), authorization is hereby given to charge \$1,330.00 to Deposit Account No. 06-1135 for the fee set forth under 37 C.F.R. § 1.17(m) and submitted herewith is a Notice of Appeal from the Primary Examiner to the Board of

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Patent Appeals and Interferences, including authorization to charge \$330.00 to Deposit Account No. 06-1135 for the fee set forth under 37 C.F.R. § 1.17(b).

Allowance of the instant petition and revival of U.S. Patent Application Serial No. 09/997,892 are respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135. This sheet is filed in duplicate.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By:   
Steven G. Parmelee  
Registration No. 28,790

Date: June 24, 2004

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